



PTO/SB/30(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

RCE
2823
18/
ext
9/11/03
v1

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/516,653
Filing Date March 1, 2000
First Named Inventor Brian Doyle
Group Art Unit 2823
Examiner Name Berezny, Neal.
Attorney Docket No. 42390.P8123

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted
i. Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. Other _____

b. Enclosed
i. Amendment/Reply-(Preliminary-Amendment)-
ii. Affidavit(s)/Declaration(s)
iii. Information Disclosure Statement (IDS)
iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c)
for a period of _____ months.(Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(e) required)
b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 02-2666
i. RCE fee required under 37 C.F.R. § 1.17(e)

ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S.
Patent and Trademark Office to (1) treat any concurrent or future reply that requires
a petition for extension of time as incorporating a petition for extension of time for the
appropriate length of time and (2) charge all required fees, including extension of time
fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

iii. Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
iv. Other _____

b. Check in the amount of \$ 1328.00 enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

04/10/2003 CVO111 00000028 09516653

01 FC:1801 750.00 OP
02 FC:1201 168.00 OP

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Michael A. Bernadicou Registration No. (Attorney/Agent) 35,934
Signature Michael A. Bernadicou Date 4/2/03

Please type a plus sign (+) inside this box **[+]**

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Juanita Briscoe

Signature Juanita Briscoe

Date April 2, 2003



FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) \$1,328.00

Complete if Known:

Application No. 09/516,653

Filing Date March 1, 2000

First Named Inventor Brian Doyle

Group Art Unit 2823

Examiner Name Berezny, Neal

Attorney Docket No. 42390.P8123

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check

 Money Order

 Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee	Fee	Fee	
Code	(\$)	Code	
1001	750	2001	Utility application filing fee
1002	330	2002	Design application filing fee
1003	520	2003	Plant filing fee
1004	750	2004	Reissue filing fee
1005	160	2005	Provisional application filing fee

SUBTOTAL (1) \$ _____

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	37	X 18.00	=
Independent Claims	6	X 84.00	= 168.00
Multiple Dependent			

**Or number previously paid, if greater; For Reissues, see below.

Large Entity	Small Entity	Fee Description
Fee	Fee	Fee
Code	(\$)	Code
1202	18	2202 9
1201	84	2201 42
1203	280	2203 140
1204	84	2204 42
1205	18	2205 9

SUBTOTAL (2) \$ 168.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee	Fee	Fee	
Code	(\$)	Code	

1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	410.00
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	750	2810	375	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	750.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454	1,300	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
SUBTOTAL (3) \$ 1328.00					
*Reduced by Basic Filing Fee Paid					
SUBMITTED BY:					
Typed or Printed Name: Michael A. Bernadicou					
Signature: <u>Michael A. Bernadicou</u>	Date: <u>8/2/03</u>				
Reg. Number: <u>35,934</u>	Telephone Number: <u>(408) 720-8300</u>				